

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION OF )  
AIRNEX COMMUNICATIONS, INC. FOR A )  
CERTIFICATE OF AUTHORITY TO PROVIDE )  
INTEREXCHANGE TELECOMMUNICATIONS )  
SERVICES IN SOUTH DAKOTA )**

**ORDER GRANTING  
CERTIFICATE OF  
AUTHORITY  
  
TC02-092**

On July 12, 2002, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from Airnex Communications, Inc. (Airnex).

Airnex intends to offer interexchange services, including 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services and travel card service. A proposed tariff was filed by Airnex. The Commission has classified long distance service as fully competitive.

On July 18, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of August 2, 2002, to interested individuals and entities. No petitions to intervene or comments were filed and at its November 20, 2002, meeting, the Commission considered Airnex's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Airnex not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Airnex has met the legal requirements established for the granting of a certificate of authority. Airnex has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. The Commission approves Airnex's application for a certificate of authority, subject to the condition that Airnex not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that Airnex's application for a certificate of authority to provide interexchange telecommunications services is hereby granted, subject to the condition that Airnex not offer a prepaid calling card or require or accept deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that Airnex shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 2nd day of December, 2002.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

\_\_\_\_\_  
JAMES A. BURG, Chairman

\_\_\_\_\_  
PAM NELSON, Commissioner

\_\_\_\_\_  
ROBERT K. SAHR, Commissioner